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## Local Government Committee

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### HB 2417

**Brief Description:** Increasing the dollar amount for construction of a dock that does not qualify as a substantial development under the shoreline management act.

**Sponsors:** Representatives Shea and Reykdal.

<p style="text-align: center;"><b>Brief Summary of Bill</b></p> <ul style="list-style-type: none"><li>Increases the threshold for exempting construction of a dock in fresh waters from the permitting requirements of the Shoreline Management Act from \$10,000 to \$20,000.</li></ul>
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**Hearing Date:** 1/20/12

**Staff:** Kelly Pfundheller (786-7289).

**Background:**

The Shoreline Management Act of 1971 (SMA) governs uses of state shorelines. The SMA involves a cooperative regulatory approach between local governments and the state. At the local level, the SMA regulations are developed in city and county shoreline master programs that regulate land use activities in shoreline areas of the state, which are subsequently subject to approval by the Department of Ecology.

Permits Under the Shoreline Management Act.

Each local government must establish a program for the administration and enforcement of a shoreline permit system. While the SMA specifies standards for local governments to review and approve permit applications, the administration of permit systems is performed by local governments.

The SMA requires a property owner or developer to obtain a substantial development permit for substantial developments within shorelands. "Substantial developments" include both developments with a total cost or fair market value exceeding \$5,718 and developments

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materially interfering with normal public shoreline or water use. "Shorelands" or "shoreland areas" refers to lands extending landward for 200 feet in all directions as measured on a horizontal plane from the ordinary high water mark.

#### Construction of a Dock.

Certain exemptions to the substantial development permit requirement are specified in statute. Construction of a dock in fresh waters, including a community dock designed for pleasure craft only and for the private noncommercial use of an owner, lessee, or contract purchaser of a single and multiple family residence, is exempt from the requirement if the fair market value of the dock does not exceed \$10,000. The exemption threshold for construction of the same type of dock in salt waters is \$2,500. However, if subsequent construction having a fair market value exceeding \$2,500 occurs within 5 years of completion of the prior construction, the subsequent construction is considered a substantial development.

#### **Summary of Bill:**

The threshold for exempting construction of a dock in fresh waters from the substantial development permit requirement is increased to \$20,000.

**Appropriation:** None.

**Fiscal Note:** Requested on January 18, 2012.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.